

**REMARKS**

Applicant amends independent claims 1 and 36 merely for clarity. Support for this amendment is throughout the text and drawings of the specification.

Claims 1, 7-9, 34, 35, and 36 have been rejected under Section 102(e) as anticipated by United States Patent Number 6,384,421 (Gochar 421). Even though the office action acknowledges that claims 3 – 6 and 37 – 44 recite allowable subject matter and would be allowable if rewritten in independent form, Applicant traverses the present rejection.

Gochar 421 discloses “A machine vision inspection system for industrial parts such as plastic molded caps or the like [that] can reliably detect defects at very high inspection rates on the order of 1600 per minute of a variety of cap colors and liners including previously difficult to inspect combinations. . . . Further, the inspection station includes a light source which is provided on the back side of the cap in the form of an infrared LED strobe light which provides accurate and reliable lighting for appropriate imaging of caps of any color to detect and identify defects therein.” (Gochar 421, Abstract). Gochar 421 can work with caps of various colors, but does not disclosed sensing color as claimed in the pending claims.

Accordingly, Gochar 421 neither teaches nor suggests “a color sensor that senses said panel of each one of said closures on said conveyor for a predetermined color” nor that “said color sensor being capable of identifying a sufficient color status that corresponds to a sufficient lining and a deficient color status that corresponds to an insufficient lining,” as recited in pending claim 1. Nor does Gochar 421 teach or suggest “said color sensor being capable of identifying a sufficient color status that corresponds to a sufficient lining compound and a deficient color status that corresponds to an insufficient lining compound,” as recited in pending claim 36.

Neither is it clear that Gochar 421 would be suitable of being combined with a “color sensor,” nor is a color sensor inherently disclosed in Gochar 421. Applicants submit that Gochar 421 simply does not disclose, either expressly or inherently, the limitation(s) relating to the claimed “color sensor.” If the Examiner disagrees, Applicant requests a citation to the particular portion of Gochar 421 for the disclosure. Applicant otherwise requests reconsideration of the pending rejection and acknowledgement of the patentability of the pending claims.


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**PATENT**

### **CONCLUSION**

Applicant requests entry of the amendments to claims 1 and 36 and submit that the pending claims are in condition for allowance. If the Examiner determines that a telephone conversation would further the prosecution of this case, he is invited to telephone the undersigned at his convenience.

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